

Application No. 10/661,964
Response Dated: March 10, 2005
In Reply to Office Action dated December 28, 2004
PPG Case No. 1886A1
Attorney Docket No. 3152-015039

REMARKS

Applicants appreciate the indication of allowable subject matter in claims 3-5, 9, 10 and 12, as well as the courtesies extended in the telephone Interview of February 17, 2005. The patentability of claims 1, 2, 6-8, 11, 13 and 14 over U.S. Patent No. 4,472,479 to Hayes et al. was discussed in the Interview. These claims are not anticipated by the Hayes patent under 35 U.S.C. §102(b) for the following reasons.

The coating composition of the present invention is suited for application to a substrate and includes a resinous binder containing colorants and reflective pigments. The colorants absorb visible light at a first wavelength band and produce fluorescent light at a second wavelength band when exposed to visible light. In this manner, there are two color effects that are produced by the colorants. Absorbance of visible light by the colorants and reflection of the non-absorbed light is visible in the first wavelength band. The fluorescent light is produced in a second wavelength band. This coating composition exhibits two color appearances depending on the viewing angle. On face to the coating composition (looking straight onto a coating composition), the appearance of the coating composition is dominated by the absorbance of the light by the colorants. However, on flop (at an angle to the surface of the coating composition), the appearance is dominated by the fluorescence of the colorants.

The Hayes patent discloses a fluorescent printing ribbon coated with an upper layer containing fluorescent pigment and a lower layer containing reflective pigments or a single coating containing both pigment types. According to the Office Action, the Hayes ribbon "inherently" meets the face absorbance and flop fluorescence characteristics of the claimed coating composition because the structure is identical. However, the properties of the present invention would not be present in a printing ribbon for printing an optical reading of the printed ribbon. If the printing ribbon disclosed in the Hayes patent had the face absorbance and flop fluorescence of the claimed coating composition, the ribbon would always be

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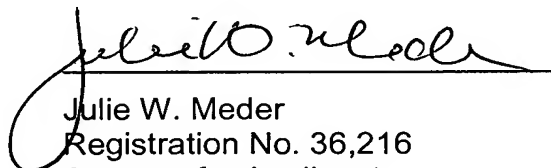
dominated by absorbance on face to the ribbon and would not appear fluorescent, while the fluorescence would only be visible on flop to the ribbon. A fluorescent printing ribbon which is to be read optically for machine sorting of documents would not have such properties that would interfere with reading of the document. As such, the composition of the fluorescent ribbon of the Hayes patent must necessarily be different from that of the present invention. In fact, the Hayes patent teaches away from the coating composition of the present invention since an angle dependent color effect based on absorbance of colorants and fluorescence of those colorants would be undesirable in the fluorescent printing ribbon of the Hayes patent.

Accordingly, claims 1-13 are believed to define over the prior art of record and allowance thereof is respectfully requested.

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